

House File 119 - Introduced

HOUSE FILE 119

BY LATHAM

A BILL FOR

1 An Act establishing the criminal offense of assault on a
2 pregnant person, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **708.3C Assault on a pregnant person**
2 **— penalties.**

3 1. A person who commits an assault, as defined in section
4 708.1, against another person the person knew or should have
5 known to be pregnant, without the intent to inflict serious
6 injury, but who causes serious injury, is guilty of a class "C"
7 felony.

8 2. A person who commits an assault, as defined in section
9 708.1, against another person the person knew or should have
10 known to be pregnant, with the intent to inflict a serious
11 injury upon the other person, is guilty of a class "D" felony.

12 3. A person who commits an assault, as defined in section
13 708.1, against another person the person knew or should have
14 known to be pregnant, and uses or displays a dangerous weapon
15 in connection with the assault, is guilty of a class "D"
16 felony.

17 4. A person who commits an assault, as defined in section
18 708.1, against another person the person knew or should have
19 known to be pregnant, and who causes bodily injury or mental
20 illness, is guilty of an aggravated misdemeanor.

21 5. A person who commits any other assault against
22 another person the person knew or should have known to be
23 pregnant, except as otherwise provided, is guilty of a serious
24 misdemeanor.

25 EXPLANATION

26 The inclusion of this explanation does not constitute agreement with
27 the explanation's substance by the members of the general assembly.

28 This bill establishes the crime of assault on a pregnant
29 person.

30 The bill increases the penalties for assault, as provided
31 pursuant to Code section 708.1, comparatively by one degree, if
32 the person against whom the assault is perpetrated is someone
33 the perpetrator knew or should have known to be pregnant.

34 Under the bill, a person who commits an assault against
35 another person the person knew or should have known to be

1 pregnant, without the intent to inflict serious injury, but
2 who causes serious injury, is guilty of a class "C" felony.
3 A class "C" felony is punishable by confinement for no more
4 than 10 years and a fine of at least \$1,370 but not more than
5 \$13,660.

6 A person who commits an assault against another person the
7 person knew or should have known to be pregnant, with the
8 intent to inflict a serious injury upon the other person, or
9 who uses or displays a dangerous weapon in connection with the
10 assault, is guilty of a class "D" felony. A class "D" felony
11 is punishable by confinement for no more than five years and a
12 fine of at least \$1,025 but not more than \$10,245.

13 A person who commits an assault against another person the
14 person knew or should have known to be pregnant, and who causes
15 bodily injury or mental illness, is guilty of an aggravated
16 misdemeanor. An aggravated misdemeanor is punishable by
17 confinement for no more than two years and a fine of at least
18 \$855 but not more than \$8,540.

19 A person who commits any other assault against another
20 person the person knew or should have known to be pregnant,
21 except as otherwise provided, is a serious misdemeanor. A
22 serious misdemeanor is punishable by confinement for no more
23 than one year and a fine of at least \$430 but not more than
24 \$2,560.